

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 330 - SB 391

February 11, 2017

SUMMARY OF BILL: Removes requirement that an affidavit of a jailer or warden be presented to prevent a forfeiture or conditional forfeiture of appearance bond and authorizes any proof of detainer to prevent the forfeiture or an appearance bond.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Tennessee Code Annotated § 40-11-201(a) authorizes the forfeiture or conditional forfeiture of an appearance bond if a defendant fails to appear. Subsection (b), however, prohibits forfeiture or conditional forfeiture of an appearance bond if an affidavit from a jailer, warden, or other responsible officer of a jail, workhouse, or penitentiary is provided to the court stating that the defendant is being detained.
- The proposed legislation removes the requirement of an affidavit and would prohibit the forfeiture or conditional forfeiture of an appearance bond if any evidence of the defendant's detainer is provided to the court.
- It is assumed that the proposed legislation will not significantly impact the courts' operations or the pretrial time served by a defendant.
- The Administrative Office of the Courts confirms that the proposed legislation will not significantly impact the courts.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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